

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

GARY L. MCCOY,

Plaintiff,

Case No. 3:17-cv-432

vs.

DR. RODNEY L. CARLSON, *et al.*,

Defendants.

District Judge Thomas M. Rose

Magistrate Judge Michael J. Newman

**ORDER AND ENTRY: (1) ADOPTING THE REPORT AND RECOMMENDATION OF
THE MAGISTRATE JUDGE (DOC. 151); AND (2) GRANTING DEFENDANTS'
MOTIONS TO PARTIALLY DISMISS PLAINTIFF'S FOURTH AMENDED
COMPLAINT (DOCS. 128, 139)**

The Court has reviewed the Report and Recommendation of Magistrate Judge Michael J. Newman (Doc. 151), to whom this case was referred pursuant to 28 U.S.C. § 636(b). The parties have not filed objections to the Report and Recommendation and the time for filing such objections under Fed. R. Civ. P. 72(b) has expired. Accordingly, it is hereby **ORDERED** that: (1) the Report and Recommendation (Doc. 151) is **ADOPTED** in full; and (2) Defendants' motions to partially dismiss Plaintiffs' fourth amended complaint (doc. 128, 139) are **GRANTED**. This case shall continue with regard to Plaintiff's remaining claims.

IT IS SO ORDERED.

Date: February 11, 2020

*s/Thomas M. Rose

Thomas M. Rose

United States District Judge